THE COMMITTEE OF EXPERTS FOR THE PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW

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## Work of the Research - - First Phase

With the approval of the Advisory Committee, a Reporter was named for each of the three subjects which were to be considered at the conference at The Hague, and each of the Reporters was assisted by special advisers. The Reporters named by the Research in International Law were:

> (1) (2)Richard W. Flournoy, Jr. Nationality

Responsibility of States

Edwin M. Borchard

Territorial Waters George Grafton Vilson

The draft conventions prepared by the Research were published in April, 1929, and republished in a special supplement to the American Journal of International Law, vol 23, No. 2 (April, 1929). Copies of the volume containing these drafts were circulated by the Secretary-General of the League of Nations to the Governments invited to be represented at the Hague Conference. The Research also published in 1930, in cooperation with the Division of International Law of the Carnegie Endowment for International Peace, a Collection of Nationality Laws of Various Countries, edited by Richard W. Flournoy, Jr., and Manley O. Hudson. The publications of the Research were frequently referred to at the Conference at The were frequently referred to at the Conference at The Hague in 1930; and that Conference adopted a recommendation as follows:

The Conference, highly appreciating the scientific work which has been done for codification in general and in regard to the subjects on its agenda in particular, cordially thanks the authors of such work and considers it desirable that subsequent conferences for the codification of inter-national law should also have fresh scientific work at their disposal and that with this ob-ject, international and national Institutions should undertake at a sufficiently early date the study of the fundamental questions international law, particularly the principles and rules and their application, with special reference to the points which are placed on the agenda of such conferences.

## Work of the Research - - Second Phase

In February, 1929, the Advisory Committee of the Research decided to undertake the preparation of draft

conventions on the four additional subjects which had been reported by the Committee of Experts to be "sufficiently ripe for codification." With the approval of the Advisory Committee, the following Reporters were selected for these subjects:

- (1) Diplomatic Privileges and Immunities -Jesse S. Reeves
- (2) Legal Position and Functions of Consuls -
- Quincy Wright

  (3) Competence of Courts in regard to Foreign States Philip C. Jessup

  (4) Piracy - - - - Joseph W. Bingham

The Reporter on Diplomatic Privileges and Immunities Mr. Jesse S. Reeves, has been assisted by Mr. Lawrence Preuss as Research Assistant and by the following advisers:

> Frederic R. Coudert, New Yark City Francis Deak, Columbia University Edwin D. Dickinson, University of Michigan Clyde Eagleton, New York University
> A. H. Feller, Harvard University
> James W. Garner, University of Illinois
> Green H. Hackworth, Department of State
> Herbert C. Hengstler, Department of State
> John V. A. MacMurray, Johns Hopkins University
> Pitman B. Potter, University of Wisconsin
> Julius I. Puente, Chicago
> Jackson H. Ralston. Palo Alto Jackson H. Ralston, Palo Alto
> James Brown Scott, Carnegia Endowment
> Daniel C. Stanwood, Bowdein College
> Ellery C. Stowell, American University
> John B. Whitton, Princeton University
> Francis C. De Wolf, Department of State
> Lester H. Woolsey, Washington, D. C.
> Quincy Wright, University of Chicago

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Meetings of reporters and advisers have been held as follows Diplomatic Privileges and Immunities:

> New York: January 21 and February 1, 1930 New York: December 5, 6, 1930
> Washington: April 19, 20, 21, 23, 1931
> New York: October 23, 24, 25, 1931
> Ann Arbor: December 11, 12, 13, 1931.

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Exhibit #\_\_\_\_

Excerpt from: "American Journal of International Law" Vol. 26, No. 2 . April 1932

## APPENDIX 7

CONVENTION OF DIPLOMATED OFFICERS, ADOPTED AT HAVANA, Rebrusty 20, 1928.

## Section III - Duties of Diplomatic Officers

Article 12. Foreign diplomatic officers may not participate in the domestic or foreign politics of the State in which they may exercise their functions.

Article 13. Diplomatic officers shall, in their official communications, address themselves to the Minister of Foreign Relations or Secretary of State of the country to which they are accredited. Communications to other authorities shall also be made through the said Minister or Secretary.

Section IV - Immunities and Prerogatives of Diplomatic Offic

Article 13. Diplomatic officers are exempt from all civil or criminal jurisdiction of the State to which they are accredited; they may not, except in the case when duly authorized by their government, waive immunity, be prosecuted or tried unless it be by the courts of their own country.

Article 20. The immunity from jurisdiction survives the tenure of office of diplomatic officers in ofar as regards actions pertaining thereto; it may not, however, be invoked in respect to other actions except while discharging their diplomatic functions.

(Pages 175-177)

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